

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEONARD DAVID VILLA, JR.,

Defendant.

CR 11-63-GF-DLC-RKS

ORDER

FILED

DEC 3 6 2013

Clerk, U.S. District Court
District Of Montana
Missoula

This case was referred to United States Magistrate Judge Keith Strong for a revocation hearing and findings and recommendations. Judge Strong entered findings and recommendations on November 19, 2013. Defendant admitted he violated the conditions of his supervised release conditions by consuming methamphetamine. Judge Strong found the admission sufficient to establish the supervised release violation. He recommended that this Court revoke Defendant's supervised release and commit him to the custody of the United States Bureau of Prisons for a term of imprisonment of 8 months with 28 months supervised release to follow.

No objections were filed by either party. Judge Strong's findings and

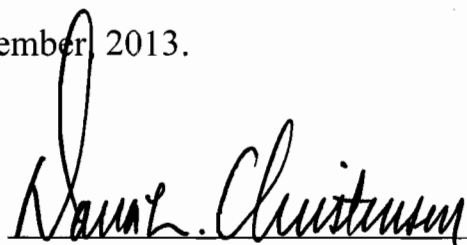
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recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. Commodore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9th Cir. 1981).

This Court agrees with Judge Strong's findings. Defendant admitted that he violated the conditions of his supervised release by consuming methamphetamine. The United States Sentencing Guidelines call for 4 to 10 months imprisonment. A sentence of 8 months is appropriate because Mr. Villa violated the conditions of his supervised release almost immediately upon his release from imprisonment, and did so by consuming methamphetamine, a particularly insidious drug. Mr. Villa has history of substance abuse and assaultive behavior. In addition, 28 months continued supervised release is appropriate because supervised release will protect the public and encourage Mr. Villa to resolve his substance abuse problems.

IT IS ORDERED that Judge Strong's Findings and Recommendations (Doc. 73) are ADOPTED in full and Judgment shall be entered accordingly.

DATED this 6th day of December, 2013.

A handwritten signature in black ink, appearing to read "Dana L. Christensen", is written over a horizontal line.

Dana L. Christensen, Chief Judge
United States District Court